/

G R S App F IX-4]

194 7 - 48

File No 58 41

*Previous References*

( nil )

Serial Nos 17, 18

*Later References*

# GENERAL AND REVENUE SECRETARIAT

*Serial Nos*

TW 0

**Part B for** Land Use

SUBJECT

Action - Bye laws in Chalakudy Municipality

K 15294 - 25 & 31.3.48

To D C Chalakudy

Comptr Mo 15/4

Approved of MC

2630
M 918/M

From

The deputy commissioner
Chittagong district

Letter No A6 C 495/46-47 dated 18-11-1947

Submits a copy of the Octroi Byelaws framed by the Chittagong Town M C & requests sanction thereto

1) Subd. This may perhaps be sent to the Law Branch for favour of scrutiny of the Byelaws in the first instance

bb 13/12 Pr 15-12-47

2) Pl put up after seven days which have been already approved & sanctioned previously in this file

Law

Printed copy)

3) The Octroi Bye-laws of Sylhet Town Municipality are herewith put up

16/12/47

bb 6/1/48 Pr 6-1-48

4) In favour of remarks on the draft byelaws proposed by the Sylhet Municipality

Law

HW DV

LEGISLATION BRANCH
No
Date
C.H. & I.H. SECRETARIAT

6/1/48

Asst Secy
Registrar
6/1/48

Petrol Bye-laws of Chellakere
Town Municipal council

5) The draft Bye-laws have been scrutinised and a few verbal corrections have been made in certain provisions

6) Schedule II appended to these Byelaws contains the rates of octroi duty leviable on certain articles specified therein, octroi duty has been proposed on beedis, cigarettes and cigars in addition to the duty on tobacco (raw)

7) According to Schedule II, class V of the Mysore Town Municipalities Act, 1933, it is permissible to levy octroi duty on tobacco upto the maximum rate of Rs 4-00 per maund of 96 lbs. This provision has been interpreted by our High court in one of their judgments wherein it has been held that the scope of it has to be limited to tobacco only and not to the products of tobacco, such as beedi, cigarettes etc so the light of this decision it is ultra vires the powers of a Municipal council to levy octroi duty on the products of tobacco

8) The rates of duty on the other articles specified in the schedule are

Octroi Bye-laws of Chellakere Town Municipal Council

918/RL

within the ~~parameters~~ maximum rates

9) The draft Byelaws are returned in order

10) The proposed bye-laws are an exact copy of the bye-laws of Shimoga Municipality They seem to be in order The items in Schedule to the bye-laws relating to tobacco products may be deleted and the bye laws approved.

Mas
23 2 48

lawyers)

12) tobacco

11)

Dft for
1/8/48

Octroi levy laws of the Chittakore Town Municipality 2630/MC

15) Submitted with a draft S.C. for approval

JFOR 3/3/48 Pr 3348

3/3/48

TYPING SECTION
12 MAR 1948

Maglee approved

GOVERNMENT OF THE MINISTRY OF LOCAL SELF GOVERNMENT
No 1580 S 8
Date

Above Re 10/3/48

S
4/3/48

Issue Diff Corpl
11/8/48

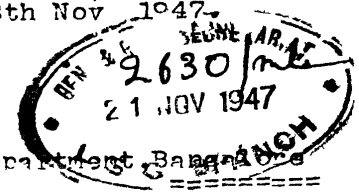
GO issued in No L1,5-296-5-/MC
5-8-47-18 dated 31-3-48
To the Deputy Commissioner
Chittakong District &
The Comptroller Bengal

"B
Stor
2/4/48
Pr

rel 58-47-17

Office of the Deputy Commissioner,
No A6 C 495/46-47 Chitaldrug District,
Chitaldrug, dated, 18th Nov 1947.

Encl 1 file



To

Syed Abdul Aleem Esq ,B A ,
Secretary to Government, Revenue Department, Bangalore

Subject Octroi bye-laws in Chellakere Municipality
===

Sir,

I have the honour to state that the Chellakere Minor Municipality was converted into a town Municipality from 1-1-47 The Municipal Council ,at its meeting held on 26-7-47, approved of the draft Octroi bye-laws ,Notification dated 10-8-47 was issued by the President of the Municipality calling for objections from the public It is reported that no ~~objections~~ petitions objecting to the draft bye laws were received The Municipal council, at its meeting held on 7-10-47 has resolved to submit the draft bye laws for sanction

In these circumstances, I recommend that sanction of Govt may kindly be obtained for the Octroi bye laws framed by the Chellakere town Municipal council at ~~my~~ an early date

The entire records received with letter No 47/46-47 dated 16-10-47 of the President of Chellakere town Municipality are enclosed herewith for favour of reference

I have the honour to be,
Sir,
Your most obedient Servant,

Deputy Commissioner, Chit Dist

C M F 2/

G R S App F VI—G/ 2]

SUBJECT Octroi bye-laws of the Chellakere Town Municipality.

*Diary No of letter replied to* 2630

General and Revenue Secretariat

( )

*the* *194*

Date of issue 31 3 48 194

Signed by [illegible]

Section [illegible]

File No 58-47

Serial No 18

*Proceedings of the Government of His Highness the Maharaja of Mysore*

*Read*— Letter No A6 C 4985/46-47, dated the 18th November 1947, from the Deputy Commissioner, Chitaldrug Dt, stating that the Chellakere Town Municipal Council framed under Section 486 (K) of the Mysore Town Municipalities Act 1933 draft octroi bye-laws for the levy of octroi on certain articles imported into the ~~Chellakere~~ Chellakere Town Municipal limits, that objections were called for from the public in respect of the bye-laws in question

May this be—

(i) printed ?

(ii) treated as a Standing Order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(iv) published in the Gazette Kannada Part ?

Order thereon —No

10-8-47, that no objections were received and that finally the Municipal Council, at its meeting held on the 7th October 1947 approved of the draft bye laws and requesting sanction of Govt. thereto under Section 61(6)(iv) of the Mysore Town Municipalities Act 1933 referred to

GC. No L1S294-57 dated 31.8.48

The Cotton bye-laws (as approved) amended by the Chellakere Town Municipal Council are approved with the direction that no octroi need be levied on products of tobacco such as "beedi" "Cigarettes" and "Cigars", (items Nos 8, 9, 10 of Schedule I to the bye laws) They may be gazetted & Copied by Examined by

for Secretary to Govt
Revenue Dept
20 33-48

The Deputy Commissioner, Chitaldrug & The Comptroller to Govt. with the records

WD 41162—GPB—60 000—23-10-47

List of Enclosures